UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, ET AL.,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC. and JETBLUE AIRWAYS CORPORATION,

Defendants.

Civil Action No. 1:21-cv-11558-LTS

<u>UPDATE TO JOINT REPORT REGARDING DEFENDANTS' MOTION TO SEAL</u> <u>TRIAL EXHIBITS</u>

The Parties provide the following update to their September 23, 2022 Joint Report Regarding Defendants' Motion to Seal Trial Exhibits (Dkt. No. 243, the "Joint Report"). Since filing the Joint Report, the Parties have resolved their disputes as to seven of the exhibits included on Amended Appendix A to the Joint Report. Specifically, the Parties no longer have confidentiality disputes as to DX-385, DX-386, PX0358, PX0660, PX0662, PX0678, and PX0697.

The Parties attach to this update (i) Amended Appendix A to the Defendants' Motion to Seal Trial Exhibits, which identifies the exhibits for which confidentiality remains in dispute, and (ii) Supplemental Appendix B to the Defendants' Motion to Seal Trial Exhibits, which identifies the exhibits for which the Parties have agreed to seal through the meet and confer process.

The versions of Amended Appendix A and Supplemental Appendix B attached hereto replace and supersede the versions of Amended Appendix A and Supplemental Appendix B attached to the Joint Report.

Dated: September 25, 2022 Respectfully submitted,

Counsel for Plaintiff the United States: /s/ William H. Jones II

William H. Jones II Maisie A. Baldwin Sarah McDonough Craig Briskin Don Amlin Brandon Storm

U.S. Department of Justice

Antitrust Division 450 Fifth Street NW Washington, DC 20530 Phone: 202-514-0230 Fax: 202-307-5802 bill.jones2@usdoj.gov

Counsel for Plaintiff States: /s/ William T. Matlack

William T. Matlack (MA Bar No. 552109) Daniel H. Leff (MA Bar No. 689302)

Office of the Attorney General

One Ashburton Place, 18th Floor

Boston, MA 02108 Phone: (617) 727-2200

Email: <u>Daniel.leff@mass.gov</u>

Attorneys for the Commonwealth of Massachusetts, and on behalf of the

Plaintiff States

Counsel for Defendants: /s/ Daniel M. Wall

Daniel M. Wall (pro hac vice)

Elizabeth C. Gettinger (pro hac vice)

Elise M. Nelson (*pro hac vice*) Nitesh Daryanani (*pro hac vice*)

LATHAM & WATKINS LLP

505 Montgomery Street, Suite 2000

San Francisco, CA 94111-6538 Telephone: (415) 391-0600

Facsimile: (415) 395-8095

dan.wall@lw.com

elizabeth.gettinger@lw.com

elise.nelson@lw.com

nitesh.daryanani@lw.com

Allyson M. Maltas (pro hac vice) Ian R. Conner (pro hac vice) Michael G. Egge (pro hac vice) Farrell J. Malone (pro hac vice) Marguerite M. Sullivan (pro hac vice) Tara L. Tavernia (pro hac vice) Seung Wan Paik (pro hac vice) Jesse A. Vella (pro hac vice) LATHAM & WATKINS LLP 555 Eleventh Street, NW, Suite 1000 Washington, DC 20004-1304 Telephone: (202) 637-2200 Facsimile: (202) 637-2201 allyson.maltas@lw.com ian.conner@lw.com michael.egge@lw.com farrell.malone@lw.com marguerite.sullivan@lw.com andrew.paik@lw.com tara.tavernia@lw.com jesse.vella@lw.com

David C. Tolley (BBO #676222) LATHAM & WATKINS LLP 200 Clarendon Street Boston, MA 02116 Telephone: (617) 948-6000 Facsimile: (617) 948-6001 david.tolley@lw.com

Attorneys for Defendant American Airlines Group Inc.

/s/ Matthew A. McGee

Richard Schwed (pro hac vice)
Matthew L. Craner (pro hac vice)
Jessica K. Delbaum (pro hac vice)
Leila Siddiky (pro hac vice)
Shearman & Sterling LLP
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 848-5445
rschwed@shearman.com
matthew.craner@shearman.com
jessica.delbaum@shearman.com
leila.siddiky@shearman.com

Brian Hauser (pro hac vice) Ryan Leske (pro hac vice) Shearman & Sterling LLP 401 9th Street, NW Washington, DC 20004 Telephone: (202) 508-8005 brian.hauser@shearman.com ryan.leske@shearman.com

Matthew A. McGee (pro hac vice) Shearman & Sterling LLP 2828 North Harwood Street, Suite 1800 Dallas, TX 75201 Telephone: (214) 271-5766 matt.mcgee@shearman.com

Glenn A. MacKinlay, BBO #561708 McCarter & English, LLP 265 Franklin Street Boston, MA 02110 Telephone: (617) 449-6548 gmackinlay@mccarter.com

Attorneys for Defendant JetBlue Airways Corporation

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document, which was filed with the Court through the
CM/ECF system, will be sent electronically to all registered participants as identified on the Notice
of Electronic Filing.

/s/ Matthew A. McGee
Matthew A. McGee